

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

GALEA, S.

-----X  
AURELIUS CAPITAL PARTNERS, LP  
and AURELIUS CAPITAL MASTER, LTD.,

Plaintiffs

-against-

THE REPUBLIC OF ARGENTINA,

Defendant.  
-----X

**ORDER TO SHOW CAUSE**

No. 07 Civ. 2715 (TPG)

<b>USDC SDNY</b>
<b>DOCUMENT</b>
<b>ELECTRONICALLY FILED</b>
DOC #:
DATE FILED: <u>4/28/08</u>

AURELIUS CAPITAL PARTNERS, LP  
and AURELIUS CAPITAL MASTER, LTD.,

Plaintiffs

-against-

THE REPUBLIC OF ARGENTINA,

Defendant.  
-----X

No. 07 Civ. 11327 (TPG)

BLUE ANGEL CAPITAL I LLC

Plaintiff

-against-

THE REPUBLIC OF ARGENTINA,

Defendant.  
-----X

No. 07 Civ. 2693 (TPG)

**UPON READING AND FILING** of the accompanying Declaration of Barry R.

Ostrager, Esq., sworn to on April 25, 2008, with the exhibits annexed thereto, the accompanying Memorandum of Law, dated April 25, 2008, and upon all of the papers, pleadings, oral argument and all prior proceedings in the above-captioned actions,

✓ **LET THE DEFENDANT HEREIN SHOW CAUSE**, before Judge Thomas P. Griesa, Room 26B, at the United States Courthouse located at 500 Pearl Street, New York, on the 30th day of April, 2008 at 10:30 am, or as soon thereafter as counsel may be heard, why an order should not be made and entered:

(a) Attaching, pursuant to Fed. R. Civ. P. 64 and N.Y. CPLR §§ 6201, 6210-12, the Trust Bonds (as defined in the Declaration of Guillermo A. Gleizer, dated April 18, 2008, a true and correct copy of which is annexed to the accompanying Declaration of Barry R. Ostrager, Esq., as Exhibit 3) held by Caja de Valores Sociedad Anonima ("CV") at the Depository Trust Company ("DTC") in New York and any and all of Defendant The Republic of Argentina's ("Argentina") interest therein and thereto;

(b) Subject to (c) below, preliminarily enjoining and restraining pursuant to Fed. R. Civ. P. 64 and 65(a), Argentina, its servants, employees, agents, representatives and any person acting in concert with them (including, without limitation, CV) from taking any action or issuing any instruction to CV, or to any other person, to take any action to transfer, sell, pledge, loan, cancel, terminate or otherwise encumber or alienate any Trust Bond held by CV at the DTC;

(c) Requiring Argentina to instruct CV, or any other person, to cause the deposit of the Trust Bonds into an account to be designated by this Court for Plaintiffs' benefit;

(d) Preliminarily enjoining and restraining, pursuant to Fed. R. Civ. P. 64 and 65(a), Argentina its servants, employees, agents, representatives and any person acting in concert with them, from issuing any notices or instructions to the Fiscal Agent for the bonds;

(e) Requiring expedited discovery from Argentina, CV, and any other necessary person, to the extent necessary to implement the transfer of the Trust Bonds for Plaintiffs' benefit; and

(f) for such other and further relief as this Court may deem just, proper and necessary under the circumstances.

**SUFFICIENT CAUSE BEING ALLEGED THEREFORE, IT IS HEREBY:**

**ORDERED** that pending hearing and determination of this application, Argentina, its servants, employees, agents, representatives and any person acting in concert with them (including, without limitation, CV) are enjoined and restrained, pursuant to Fed. R. Civ. P 65(b), from taking any action or issuing any instructions to CV, or to any other person, to take any action to transfer, sell, pledge, loan, cancel, terminate or otherwise encumber or alienate the Trust Bonds held by CV at DTC;


**IT IS FURTHER ORDERED** that pending the hearing and determination of this application, Argentina, its servants, employees, agents, representatives and any person acting in concert with them, are enjoined and restrained, pursuant to Fed. R. Civ. P. 65(b), from issuing any notices or instructions to the Fiscal Agent for the Global Bonds;

**IT IS FURTHER ORDERED** that personal service of this Order to Show Cause, and the papers upon which it is based, upon counsel for Argentina, Cleary, Gottlieb, Steen & Hamilton, One Liberty Plaza, New York 10006, attention Jonathan Blackman, Esq., on or before the 25th day of April, 2008, shall be deemed good and sufficient service;

**IT IS FURTHER ORDERED** that opposing papers, if any, are to be served upon counsel for plaintiffs, Simpson Thacher & Bartlett LLP, 425 Lexington Avenue, New York, NY 10017, attention Barry R. Ostrager, Esq., so as to be received by 12:00 p.m. on the 29th day of April, 2008;

**AND IT IS FURTHER ORDERED** that reply papers, if any shall be served upon Defendant's counsel, so as to be received no later than the hearing.

SO ORDERED

A handwritten signature in black ink, appearing to read "Thomas P. Griesa". The signature is fluid and cursive, with a large initial 'T'.

Hon. Thomas P. Griesa, U.S.D.J.

April 25, 2008<sup>n</sup>